

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JONATHAN NNEBE, *et al.*,

Plaintiffs,

-v-

MATTHEW DAUS, *et al.*,

Defendants.

No. 06-cv-4991 (RJS)

ANTHONY STALLWORTH, *individually and
on behalf of all others similarly situated, et al.*,

Plaintiffs,

-v-

MEERA JOSHI, *et al.*,

Defendants.

No. 17-cv-7119 (RJS)

ORDER

RICHARD J. SULLIVAN, Circuit Judge:

As discussed at the October 21, 2022 status conference, in order to assist the Court in assessing the adequacy of the class notice previously sent in this matter, IT IS HEREBY ORDERED THAT Class Counsel shall provide responses to the following questions by Friday, October 28, 2022:

- During the opt-out period, for potential class members for whom class counsel had email addresses, was notice sent via email *and* mail, or *just* email?
- During the opt-out period, how many potential class members were emailed notice? Of the emails sent, how many bounced back? How many were unopened?
- During the opt-out period, how many potential class members were mailed notice? For potential class members who were to be mailed notice, how many addresses needed

updating through the National Change of Address (“NCOA”) database? After updating addresses through the NCOA database, of the letters sent, how many were returned to sender or otherwise determined to be undeliverable? Of those returned or deemed to be undelivered, how many were resent to a new address? Of those, how many were again returned to sender or deemed to be undelivered?

- Overall, during the opt-out period, what is your best estimate of the number of potential class members who received no notice?


In addition to responding to the questions posed above, Class Counsel shall also submit (1) a proposed form of notice to be disseminated via text message, (2) a proposed plan and schedule for the dissemination of the proposed notice, and (3) a proposed order granting approval.

IT IS FURTHER ORDERED THAT Defendants shall file a response, if any, to Class Counsel’s submission no later than November 1, 2022.

In light of the above, the parties need not file the list of class members requesting an individual hearing, or a joint letter proposing a schedule for the remainder of the litigation, until further ordered by the Court.

SO ORDERED.

Dated: October 21, 2022
 New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation